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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/887,312	06/22/2001	Francis C. Marino	110-081	6867

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EXAMINER

LE, DIEU MINH T

ART UNIT PAPER NUMBER

2114

DATE MAILED: 01/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/887,312

Applicant(s)

MARINO ET AL.

Examiner

Dieu-Minh Le

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 August 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5,6,8-10,12 and 13 is/are rejected.
- 7) ☒ Claim(s) 4, 7, 10, 14 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Part III DETAILED ACTION

Specification

1. Claims 1-14 are presented for examination.
2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims (i.e. security system, control unit, sampling means, indication means ...). Therefore, the claimed features must be shown in the drawings. All the rectangular boxes also needed to be labels (fig.2). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter

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sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary.

Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 1-3, 5-6, 8-10, 12-13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Gehman et al. (US Patent 4,672,365 hereafter referred to as Gehman) in view of Brian Peter Rogers (UK Patent 2 186 468).

As per claim 1:

Gehman explicitly teaches:

- In a security system comprising a plurality of security device in communication [abstract, fig. 3, col. 1, lines 1-11 and col. 3, lines 25-30] with a control unit over a serial data communication loop [fig. 3, col. 5, lines 20-28 (i.e., serial output)], a method for detecting data transmission from any of the security devices, comprising the steps of:

- the control unit receiving a data transmission from a security device, the transmission comprising a plurality of bit intervals (e.g., logic "1" and "0") [col. 2, lines 30-34];

- sampling the data transmission at a first predetermined time during the bit interval to obtain a first sample value [fig. 9-10, col. 2, lines 11-15], col. 7 lines 64 through col. 8, lines 8 and col. 9, lines 25-28];

- sampling the data transmission at a second predetermined time during the bit interval to obtain a second sample value [fig. 9-10, col. 2, lines 11-15], col. 7 lines 64 through col. 8, lines 8 and col. 9, lines 25-28] the second predetermined time being later than the first predetermined time (i.e., data samples in a previous set of data sample and a subsequent data condition) [col. 2, lines 41-47];

Gehman does not explicitly teach:

- if the first sample value is a logic 1 and a second sample value is a logic 0, then indicating that the data transmission from the security device is marginally recoverable.

However, Gehman does disclose capability of:

- security system having one more detector/sending units for reporting the existence of a condition to a central unit [abstract, fig. 3, col. 1, lines 8-11] comprising capabilities of :
 - high and low (i.e., logic 1 and 0") signal samples of main processor (i.e., control unit) and security devices (i.e., receiver, transmitters, intrusion detector, etc...) [col. 2, lines 30-34 and col. 7, lines 64 through col. 8, lines 8];
 - data signal conforming (i.e., data acceptable) and data hysteresis (i.e., data transmission is marginally recoverable) [col. 2, lines 28-29 and lines 43-44].
 - data conformance to a predetermined arrangement [col. 2, line 48-49].

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In addition, Brian Peter Rogers explicitly teaches:

- Improvement relating to data transmission systems

[abstract, fig. 1, col. 1, lines 5-7];

comprising:

- transmission system handling secure data and serial data link [col. 1, lines 10-11];

- sampling signals and **specific logic "1" and "0" used for data transmission improvement** [page 1, lines 46-48 and page 2, lines 29-32];

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of Applicant's invention to realize the combination of Gehman and Brian Peter Roger's capabilities do teach Applicant's security system data detection and correction. This is because the conforming and hysteresis data transmission requirements (i.e., condition indication) would have provided an enhancement data operation of the security devices and its controller or control unit by setting logic level "1" and "0" to its setting sample values.

This modification would have been obvious because a person having ordinary skill in the art would have been motivated to combining the teaching of Gehman and Brian Peter Roger to

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improving the performance of data transmission detection and correction, processing availability and performance throughput.

As per claims 2-3:

Gehman explicitly teaches:

- In a security system comprising a plurality of security device in communication [abstract, fig. 3, col. 1, lines 1-11 and col. 3, lines 25-30] with a control unit over a serial data communication loop [fig. 3, col. 5, lines 20-28 (i.e., serial output)], a method for detecting data transmission from any of the security devices, comprising the steps of:

Gehman does not explicitly teach:

- if the first sample value is a logic 0 and a second sample value is a logic 0, then indicating that the data transmission is acceptable;
- if the second sample value is a logic 1 then assuming logic 1 as the transmitted data bit, making no indication regarding the acceptability of the data transmission.

However, Gehman does disclose capability of:

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- security system having one more detector/sending units for reporting the existence of a condition to a central unit [abstract, fig. 3, col. 1, lines 8-11] comprising capabilities of :
 - high and low (i.e., logic 1 and 0") signal samples of main processor (i.e., control unit) and security devices (i.e., receiver, transmitters, intrusion detector, etc...) [col. 2, lines 30-34 and col. 7, lines 64 through col. 8, lines 8];
 - data signal conforming (i.e., data acceptable) and data hysteresis (i.e., data transmission is marginally recoverable) [col. 2, lines 28-29 and lines 43-44].
 - data conformance to a predetermined arrangement [col. 2, line 48-49].

In addition, Brian Peter Rogers explicitly teaches:

- Improvement relating to data transmission systems [abstract, fig. 1, col. 1, lines 5-7];
- comprising:
- transmission system handling secure data and serial data link [col. 1, lines 10-11];

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- sampling signals and **specific logic "1" and "0" used for data transmission improvement** [page 1, lines 46-48 and page 2, lines 29-32];

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of Applicant's invention to realize the combination of Gehman and Brian Peter Roger's capabilities do teach Applicant's security system data detection and correction. This is because the hysteresis and any predetermined arrangement data transmission requirements (i.e., condition indication) would have provided an enhancement data operation of the security devices and its controller or control unit by setting logic level "1" and "0" to its setting sample values.

This modification would have been obvious because a person having ordinary skill in the art would have been motivated to combining the teaching of Gehman and Brian Peter Roger to allowing the security system to operating, maintaining and adjusting at any pre-logic setting to enhance its data transmission performance.

As per claims 5-6:

Gehman explicitly teaches:

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- In a security system comprising a plurality of security device in communication [abstract, fig. 3, col. 1, lines 1-11 and col. 3, lines 25-30] with a control unit over a serial data communication loop [fig. 3, col. 5, lines 20-28 (i.e., serial output)], a method for detecting data transmission from any of the security devices, comprising the steps of:

- lower a baud rate of transmission between security device and control unit by a pre-determined increment [fig. 4 and 6, col. 7, lines 64 through col. 8, lines 8, col. 22, lines 15-18];
- providing output indication [col. 2, lines 20-22].

Gehman does not explicitly teach:

- the data transmission has been indicated to be marginally recoverable.

However, Gehman does disclose capability of:

- security system having one more detector/sending units for reporting the existence of a condition to a central unit [abstract, fig. 3, col. 1, lines 8-11] comprising capabilities of :

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- high and low (i.e., logic 1 and 0") signal samples of main processor (i.e., control unit) and security devices (i.e., receiver, transmitters, intrusion detector, etc...) [col. 2, lines 30-34 and col. 7, lines 64 through col. 8, lines 8];
- data signal conforming (i.e., data acceptable) and data hysteresis (i.e., data transmission is marginally recoverable) [col. 2, lines 28-29 and lines 43-44].
- data conformance to a predetermined arrangement [col. 2, line 48-49].

In addition, Brian Peter Rogers explicitly teaches:

- Improvement relating to data transmission systems [abstract, fig. 1, col. 1, lines 5-7];

comprising:

- transmission system handling secure data and serial data link [col. 1, lines 10-11];
- sampling signals and **specific logic "1" and "0" used for data transmission improvement** [page 1, lines 46-48 and page 2, lines 29-32];
- **different baud rates** of timing signals used for data security transmission [page 1, lines 98-100].

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Therefore, it would have been obvious to a person having ordinary skill in the art at the time of Applicant's invention to realize the combination of Gehman and Brian Peter Roger's capabilities do teach Applicant's security system data detection and correction. This is because the conforming and hysteresis data transmission requirements (i.e., condition indication) would have provided an enhancement data operation of the security devices and its controller or control unit by setting logic level "1" and "0" to its setting sample values for the same reasons set forth as described in claim 1, **supra**.

As per claims 8-10 and 12-13:

Due to the similarity of claims 8-10 and 12-13 to claims 1-3 and 5-6 except for a system security comprising a plurality of security devices, a control unit, a means for receiving data, a means for sampling data, etc... instead of a method steps for detecting marginal data transmission in a security device comprising a plurality of security devices, a control unit, sampling data, etc...; therefore, these claims are also rejected under the same rationale applied against claims 1-3 and 5-6. **In addition, all of the limitations have been noted in the rejection as per claims 1-3 and 5-6.**

Allowable Subject Matter

6. Claims 4, 7, 11, and 14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

8. A shortened statutory period for response to this action is set to expired THREE (3) months, ZERO days from the date of this letter. Failure to respond within the period for response will cause the application to be abandoned. 35 U.S.C. 133.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dieu-Minh Le whose telephone number is (703) 305-9408. The examiner can normally be reached on Monday-Thursday from 6:30 AM to 4:00 PM. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Beausoliel, can be reached on (703)305-9713. The fax phone number for this Group is (703)872-9306.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

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Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703)872-9306, (for formal communications
intended for entry)

Hand-delivered responses should be brought to Crystal
Park II, 2121 Crystal Drive, Arlington. VA., Sixth
Floor (Receptionist).



**DIEU-MINH THAI LE
PRIMARY EXAMINER
ART UNIT 2114**

DML
1/12/04